

# SENATE BILL REPORT

## ESHB 2534

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As Reported By Senate Committee On:  
Law & Justice, February 21, 1996

**Title:** An act relating to penalties for driving without a driver's license.

**Brief Description:** Decriminalizing driving without a license.

**Sponsors:** House Committee on Law & Justice (originally sponsored by Representatives Sheahan, Dellwo, Sterk, Cody, Hickel, Morris and Thompson).

**Brief History:**

**Committee Activity:** Law & Justice: 2/21/96 [DP].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Haugen, Johnson, Long, McCaslin, Roach and Schow.

**Staff:** Martin Lovinger (786-7443)

**Background:** Under current law, driving without a valid driver's license is a misdemeanor, punishable by up to 90 days in jail and a \$1,000 fine. A person charged with this crime is entitled to a jury trial, if he or she requests one, and to a public defender, if indigent.

The office of the Administrator for the Courts estimates that 20 percent of all traffic misdemeanors filed in courts of limited jurisdiction are for violations of this statute. Courts routinely allow defendants to forfeit bail and serve no jail time, and courts impose no fines, if the defendants show proof of obtaining valid driver's licenses prior to adjudication.

A traffic infraction is not a criminal offense. Unless otherwise provided, the maximum monetary penalty for a traffic infraction is \$250.

**Summary of Bill:** The crime of driving without a valid license is reduced to an infraction if the driver produces acceptable identification or an expired license at the time of arrest, and if the driver is not in violation of the suspended or revoked license statutes. The fine for this infraction is \$250, except the fine is reduced to \$50 if the driver obtains a valid license.

**Appropriation:** None.

**Fiscal Note:** Requested on February 14, 1996.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Cities, counties and courts will all benefit from this legislation which will save money and reduce the burden on courts. This bill represents an agreement with law enforcement that addressed some concerns in the original bill.

**Testimony Against:** None.

**Testified:** Judge John McCarthy, WA District and Municipal Court Judges Association (pro); Jim Mattheis, WA State Council of Police Officers (pro).